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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,219	08/05/2005	Michael Nau	10191/3706	2647
26646 KENVON & K	26646 7590 10/31/2007 KENYON & KENYON LLP		EXAMINER	
ONE BROADWAY			GANEY, STEVEN J	
NEW YORK, NY 10004			ART UNIT	PAPER NUMBER
			3752	
			MAIL DATE	DELIVERY MODE
			10/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No. Applicant(e):							
## Office Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extension of time may be wiseless udded the provisions of 30 FER 11:30(n) in no event, however, may are type to string! Yes address of time may be wiseless udded to the provision of 30 FER 11:30(n) in no event, however, may are type to string! Yes after 500 (in MONTHS from the mailing date of this communication. If NO period to may be secretar under the provision of 30 FER 11:30(n) in no event, however, may are type to string! Yes after 500 (in No. 1) in the mailing date of this communication. If NO period to may be secretar than \$0,000 (in the mailing date of the communication, when if small filled, may reduce any seamed patient than \$0,000 (in the mailing date of this communication, when if small filled, may reduce any seamed patient than \$0,000 (in the mailing date of this communication, when if small filled, may reduce any seamed patient than \$0,000 (in the mailing date of this communication, when if small filled, may reduce any seamed patient than \$0,000 (in the mailing date of this communication, when if small filled, may reduce any seamed patient than \$0,000 (in the mailing date of this communication, when if small filled, may reduce any seamed patient than \$0,000 (in the mailing date of this communication, when if small filled, may reduce any seamed patient than \$0,000 (in the mailing date of this communication, when if small filled, may reduce any seamed patient and \$0,000 (in the mailing date of this communication). This action is FINAL.			Μ				
## Examiner Steven J. Ganey 3752		Application No.	Applicant(s) '				
Status	Office Action Comments	10/520,219	NAU ET AL.				
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Application/Control Number: 10/520,219

Art Unit: 3752

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 27-30, 32-34, 36 and 48-50 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by WO0040856.

WO0040856 discloses an atomization system comprising all the featured elements of the instant invention, see Figures 3-5.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 4. Claims 27-30, 32, 39, 45, 48-50, 52 and 53 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Nau et al.

Nau et al discloses an atomization system comprising all the featured elements of the instant invention, see the Figure.

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nau et al.

 Nau et al discloses an atomization, as discussed above, except for the specific pressure range of the fuel pressure. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide fuel pressures as claimed since such pressure ranges are normal in atomization systems for charging chemical reformers and the apparatus of Nau et al would be capable of operating at such pressure ranges as claimed.

Allowable Subject Matter

7. Claims 35, 37, 38, 40-44, 46, 47 and 51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven J. Ganey whose telephone number is 571-272-4899. The examiner can normally be reached on 9:00-5:00; Monday-Friday.

Art Unit: 3752

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sjg 10/29/07

STEVEND GANEY PRIMARY EXAMINER